

1 State of Arkansas  
2 89th General Assembly  
3 Fiscal Session, 2014  
4

# A Bill

SENATE BILL 107

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ECONOMIC DEVELOPMENT  
10 COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2015;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE ECONOMIC DEVELOPMENT  
15 COMMISSION APPROPRIATION FOR THE 2014-  
16 2015 FISCAL YEAR.  
17  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Economic Development Commission for the 2014-2015 fiscal year, the following  
24 maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) U055U	AEDC DIRECTOR	1	\$138,323
31	(2) U105U	AEDC DEP DIRECTOR FINANCE & ADMIN	1	\$118,653
32	(3) U059U	AEDC DEPUTY DIRECTOR	1	\$118,653
33	(4) N180N	AEDC ARKANSAS ENERGY OFFICE DIRECTOR	1	GRADE N908
34	(5) N062N	AEDC BUSINESS DEV DIV DIRECTOR	1	GRADE N908
35	(6) N061N	AEDC BUSINESS FINANCE DIRECTOR	1	GRADE N908
36	(7) N059N	AEDC TRAINING DIVISION DIRECTOR	1	GRADE N908



1	(8)	N085N	AEDC DIR TECH & ENTREPRENEURSHIP	1	GRADE N907
2	(9)	N084N	AEDC MRKT & COMMUNICATIONS DIR	1	GRADE N907
3	(10)	N083N	AEDC STRATEGIC PLANNING DIRECTOR	1	GRADE N907
4	(11)	G245C	AEDC DIR OF COMMUNITY DEV & IMPROVE	1	GRADE C128
5	(12)	G014C	AEDC DIR OF COMMUNITY DEVELOPMENT	1	GRADE C128
6	(13)	P002C	AEDC DIRECTOR FILM COMMISSION	1	GRADE C128
7	(14)	G013C	AEDC MGR OF STRATEGIC ENERGY DEV	1	GRADE C128
8	(15)	G015C	AEDC SMALL MINORITY BUS DIRECTOR	1	GRADE C128
9	(16)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
10	(17)	D012C	DATABASE SPECIALIST	1	GRADE C127
11	(18)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
12	(19)	G048C	AEDC STRATEGIC PLANNING ASST DIR	1	GRADE C126
13	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
14	(21)	G062C	AEDC PROJECT/REGIONAL MANAGER	15	GRADE C125
15	(22)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
16	(23)	G104C	AEDC AREA/PROGRAM REPRESENTATIVE	22	GRADE C122
17	(24)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
18	(25)	R014C	PERSONNEL MANAGER	1	GRADE C121
19	(26)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
20	(27)	G129C	DHS/DCO PROGRAM MANAGER	1	GRADE C120
21	(28)	E023C	TRAINING PROJECT MANAGER	4	GRADE C120
22	(29)	G148C	ENERGY PROGRAM MANAGER	2	GRADE C119
23	(30)	G147C	GRANTS COORDINATOR	1	GRADE C119
24	(31)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
25	(32)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
26	(33)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
27	(34)	D064C	WEBSITE DEVELOPER	1	GRADE C118
28	(35)	A082C	ACCOUNTANT II	2	GRADE C117
29	(36)	A081C	AUDITOR	1	GRADE C117
30	(37)	G180C	GRANTS ANALYST	7	GRADE C117
31	(38)	G178C	POLICY DEV. COORDINATOR	1	GRADE C117
32	(39)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
33	(40)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
34	(41)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
35	(42)	R033C	BENEFITS ANALYST	1	GRADE C115
36	(43)	D077C	HELP DESK SPECIALIST	1	GRADE C115

1	(44)	V015C	PURCHASING SPECIALIST	1	GRADE C115
2	(45)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
3	(46)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
4	(47)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
5	(48)	C073C	ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
6			MAX. NO. OF EMPLOYEES	105	

7

8 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby

9 appropriated, to the Economic Development Commission, to be payable from the

10 Arkansas Economic Development Commission Fund Account, for personal services,

11 operating expenses, grants and aid, and state matching funds of the Economic

12 Development Commission - State Operations for the fiscal year ending June 30,

13 2015, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2014-2015</u>
17	(01) REGULAR SALARIES	\$4,768,725
18	(02) PERSONAL SERVICES MATCHING	1,437,587
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	1,550,204
21	(B) CONF. & TRAVEL	141,486
22	(C) PROF. FEES	1,465,000
23	(D) CAP. OUTLAY	100,000
24	(E) DATA PROC.	0
25	(04) ECONOMIC INFRASTRUCTURE/REGIONALISM	
26	GRANTS	1,000,000
27	(05) FAR EAST TRADE/IND RECRUITMENT	150,000
28	(06) INDUSTRY TRAINING PROGRAM	1,000,000
29	(07) FOR STATE MATCHING OF FEDERAL FUNDS	<u>228,500</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,841,502</u></u>

31

32 SECTION 3. APPROPRIATION - COMMUNITY ASSISTANCE - FEDERAL. There is

33 hereby appropriated, to the Economic Development Commission, to be payable

34 from the federal funds as designated by the Chief Fiscal Officer of the

35 State, for personal services, operating expenses and grants and aid by the

36 Economic Development Commission - Community Assistance - Federal for the

1 fiscal year ending June 30, 2015, the following:

2

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4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2014-2015</u>
6 (01) REGULAR SALARIES	\$316,008
7 (02) PERSONAL SERVICES MATCHING	103,999
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	60,600
10 (B) CONF. & TRAVEL	25,000
11 (C) PROF. FEES	70,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (04) GRANTS/AIDS - CDBG	30,000,000
15 (05) STORM RECOVERY GRANTS	76,425,796
16 (06) FLOOD RECOVERY GRANTS	1,305,000
17 (07) ARRA OF 2009	<u>1,129,128</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$109,435,531</u>

19

20 SECTION 4. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is  
 21 hereby appropriated, to the Economic Development Commission, to be payable  
 22 from the federal funds as designated by the Chief Fiscal Officer of the  
 23 State, for personal services, operating expenses, and grants and aid by the  
 24 Economic Development Commission - State Energy Plan - Federal for the fiscal  
 25 year ending June 30, 2015, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2014-2015</u>
29 (01) REGULAR SALARIES	\$295,239
30 (02) PERSONAL SERVICES MATCHING	99,244
31 (03) MAINT. & GEN. OPERATION	
32 (A) OPER. EXPENSE	93,273
33 (B) CONF. & TRAVEL	11,788
34 (C) PROF. FEES	218,085
35 (D) CAP. OUTLAY	0
36 (E) DATA PROC.	0

1	(04) ENERGY CONSERVATION GRANTS AND AID	<u>151,952</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$869,581</u></u>

3  
 4 SECTION 5. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is  
 5 hereby appropriated, to the Economic Development Commission, to be payable  
 6 from the cash fund deposited in the State Treasury as determined by the Chief  
 7 Fiscal Officer of the State, for personal services, operating expenses, and  
 8 grants and aid by the Economic Development Commission - Energy Efficiency  
 9 Arkansas - Cash for the fiscal year ending June 30, 2015, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2014-2015</u>
13	(01) REGULAR SALARIES	\$80,257
14	(02) PERSONAL SERVICES MATCHING	27,194
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	93,900
17	(B) CONF. & TRAVEL	2,000
18	(C) PROF. FEES	1,927,205
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	0
21	(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>450,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,580,566</u></u>

23  
 24 SECTION 6. APPROPRIATION - INCENTIVE PLANS - CASH. There is hereby  
 25 appropriated, to the Economic Development Commission, to be payable from cash  
 26 funds as defined by Arkansas Code 19-4-801 of the Economic Development  
 27 Commission, for expenses of assisting industries in the negotiation of  
 28 financial incentive plans of the Economic Development Commission - Incentive  
 29 Plans - Cash for the fiscal year ending June 30, 2015, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2014-2015</u>
33	(01) FINANCIAL INCENTIVE PLANS - EXPENSES	<u>\$1,261</u>

34  
 35 SECTION 7. APPROPRIATION - TRADE AND INTERNATIONAL INVESTMENT DIVISION  
 36 - CASH. There is hereby appropriated, to the Economic Development



1 from the cash fund deposited in the State Treasury as determined by the Chief  
 2 Fiscal Officer of the State, for operating expenses and grants and aid by the  
 3 Economic Development Commission - Clean Cities Coalition - Cash for the  
 4 fiscal year ending June 30, 2015, the following:

5

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2014-2015</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$20,000
10 (B) CONF. & TRAVEL	8,750
11 (C) PROF. FEES	105,255
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (02) GRANTS FOR ALTERNATIVE FUEL PROJECTS	<u>55,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$189,005</u></u>

16

17 SECTION 11. APPROPRIATION - TECHNOLOGY ACCELERATION PROGRAM. There is  
 18 hereby appropriated, to the Economic Development Commission, to be payable  
 19 from the Technology Acceleration Fund, for investment incentives to enhance  
 20 the economy of the state through technology development of the Economic  
 21 Development Commission - Technology Acceleration Program for the fiscal year  
 22 ending June 30, 2015, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2014-2015</u>
26 (01) TECHNOLOGY ACCELERATION PROGRAM	<u><u>\$30,000,000</u></u>

27

28 SECTION 12. APPROPRIATION - SUPER PROJECTS. There is hereby  
 29 appropriated, to the Economic Development Commission, to be payable from the  
 30 Economic Development Superprojects Project Fund, for Super Projects as  
 31 defined by Amendment 82 to the Arkansas Constitution for the Economic  
 32 Development Commission - Super Projects for the fiscal year ending June 30,  
 33 2015, the following:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2014-2015</u>

1 (01) SUPER PROJECTS \$200,000,000

2

3 SECTION 13. APPROPRIATION - WEATHERIZATION ASSISTANCE PROGRAM. There  
 4 is hereby appropriated, to the Economic Development Commission, to be payable  
 5 from the federal funds as designated by the Chief Fiscal Officer of the  
 6 State, for personal services, operating expenses, and grants and aid by the  
 7 Economic Development Commission - Weatherization Assistance Program for the  
 8 fiscal year ending June 30, 2015, the following:

9

10 ITEM	FISCAL YEAR
11 NO.	2014-2015
12 (01) REGULAR SALARIES	\$181,266
13 (02) PERSONAL SERVICES MATCHING	66,691
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	19,500
16 (B) CONF. & TRAVEL	6,750
17 (C) PROF. FEES	13,500
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	0
20 (04) DATA PROCESSING SERVICES	2,000
21 (05) WEATHERIZATION ASSISTANCE PROGRAM	<u>8,000,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$8,289,707</u>

23

24 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY  
 26 TRAINING PROGRAM EXPENSES. In addition to training expenses, funds made  
 27 available to support the appropriation for Industry Training Program (ITP)  
 28 herein may be used to acquire capital equipment necessary to enhance the  
 29 capabilities of the Arkansas Industry Training Programs and for expenses  
 30 necessary to assist in carrying on the Existing Worker Training Program.  
 31 When not in use in an AITP managed course of training, the equipment  
 32 purchased under this provision shall be stored at a location to be determined  
 33 by the Executive Director of AEDC.

34 The provisions of this section shall be in effect only from July 1, ~~2013~~  
 35 2014 through June 30, ~~2014~~ 2015.

36



1 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN  
3 OFFICE OPERATIONS. The Arkansas Economic Development Commission is hereby  
4 authorized to enter into contractual arrangements with private and/or public  
5 companies, corporations, individuals or organizations for the purpose of  
6 operating foreign offices. Arkansas Code 15-4-211 shall not be deemed  
7 restrictive in its language so as to preclude the use of standard  
8 Professional Services Contracts for the operation of the foreign offices  
9 and/or payment of such contracts from the special line items as established  
10 by legislative appropriation for the operation of said foreign offices.

11 The provisions of this section shall be in effect only from July 1, ~~2013~~  
12 2014 through June 30, ~~2014~~ 2015.

13  
14 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE  
16 FACILITIES. The Arkansas Economic Development Commission (AEDC) shall  
17 structure its annual update to the Five Year Consolidated Plan and the new  
18 Five Year Consolidated Plan to reflect the legislative intent for a priority  
19 to be placed on the use of Community Development Block Grant (CDBG) funds for  
20 Multi-use facilities that will offer combined facilities for programs  
21 commonly offered in separate facilities such as senior centers, public health  
22 centers, childcare centers and community centers. AEDC shall report the  
23 methodology for complying with this priority to the Legislative Council.

24 The provisions of this section shall be in effect only from July 1, ~~2013~~  
25 2014 through June 30, ~~2014~~ 2015.

26  
27 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC  
29 PARTICIPATION. Arkansas Economic Development Commission (AEDC) shall make  
30 additional efforts to increase non-traditional public participation in its  
31 annual update to the Five Year Consolidated Plan and the new Five Year  
32 Consolidated Plan. These efforts shall be in addition to current public  
33 notification methods. Notification should be considered through direct mail-  
34 out to mayors and county judges, contacts with planning and development  
35 districts, contact with the Department of Rural Services, submissions to  
36 grant notification publications, and publication on AEDC's web page. AEDC is

1 encouraged to develop additional innovative public awareness strategies.

2 The provisions of this section shall be in effect only from July 1, ~~2013~~  
3 2014 through June 30, ~~2014~~ 2015.

4  
5 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL  
7 DEVELOPMENT. From the funds appropriated for Community Development Grants  
8 within the Community Development Program in this Act for Community  
9 Assistance-Federal, the Arkansas Economic Development Commission (AEDC) shall  
10 allocate \$500,000 per fiscal year to the Rural Development Set-Aside from the  
11 Economic Development Set-Aside, as defined in AEDC's Consolidated Plan filed  
12 with the federal Department of Housing and Urban Development. Funds  
13 allocated to the Rural Development Set-Aside are to be used exclusively for  
14 grants to rural communities as defined in the Consolidated Plan.

15 The provisions of this section shall be in effect only from July 1, ~~2013~~  
16 2014 through June 30, ~~2014~~ 2015.

17  
18 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT  
20 REVIEW. The Arkansas Economic Development Commission (AEDC) shall review all  
21 applications for grant funds from the Rural Development Set-Aside and shall  
22 certify to the Department of Rural Services those applications eligible for  
23 grant funds under AEDC and federal guidelines. The Department of Rural  
24 Services alone shall decide which grant applications will be funded, and AEDC  
25 shall disburse grant funds from the Rural Development Set-Aside to those  
26 applicants receiving final approval by the Department of Rural Services. AEDC  
27 and the Department of Rural Services shall promulgate rules and regulations  
28 governing the application for and disbursement of grant funds from the Rural  
29 Development Set-Aside, and an annual report of the disposition of these grant  
30 funds shall be made to the Legislative Joint Auditing Committee.

31 The provisions of this section shall be in effect only from July 1, ~~2013~~  
32 2014 through June 30, ~~2014~~ 2015.

33  
34 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
36 PROVISION - FOREIGN OFFICES. If at any time during the fiscal year, the

1 Director determines that market conditions warrant, the Arkansas Economic  
2 Development Commission is hereby authorized to transfer appropriation, after  
3 receiving the approval of the Chief Fiscal Officer of the State and prior  
4 approval by the Legislative Council or Joint Budget Committee, between the  
5 Foreign Offices in the State Operations Section of this Act for the purpose  
6 of responding to changes in the world markets.

7 Determining the maximum number of employees and the maximum amount of  
8 appropriation and general revenue funding for a state agency each fiscal year  
9 is the prerogative of the General Assembly. This is usually accomplished by  
10 delineating such maximums in the appropriation act(s) for a state agency and  
11 the general revenue allocations authorized for each fund and fund account by  
12 amendment to the Revenue Stabilization law. Further, the General Assembly  
13 has determined that the Arkansas Economic Development Commission may operate  
14 more efficiently if some flexibility is provided to the Arkansas Economic  
15 Development Commission authorizing broad powers under this Section.

16 Therefore, it is both necessary and appropriate that the General Assembly  
17 maintain oversight by requiring prior approval of the Legislative Council or  
18 Joint Budget Committee as provided by this section. The requirement of  
19 approval by the Legislative Council or Joint Budget Committee is not a  
20 severable part of this section. If the requirement of approval by the  
21 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
22 court of competent jurisdiction, this entire section is void.

23 The provisions of this section shall be in effect only from July 1, ~~2013~~  
24 2014 through June 30, ~~2014~~ 2015.

25  
26 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
28 PROVISION. If at any time during the fiscal year, savings are accomplished  
29 in the appropriation provided for "Far East Trade/Industry Recruitment" and  
30 "Regular Salaries" in the State Operations Section of this Act, such  
31 appropriation savings may be transferred to the appropriations made for  
32 "Maintenance and General Operations" in the State Operations Section of this  
33 Act after prior approval by the Legislative Council or Joint Budget  
34 Committee. In addition, if at any time during the fiscal year, savings are  
35 accomplished in the appropriation provided for "Maintenance and General  
36 Operations" in the State Operations Section of this Act, such appropriation

1 savings may be transferred to the appropriation for "Far East Trade/Industry  
2 Recruitment" and in the State Operations Section of this Act, after prior  
3 approval by the Legislative Council or Joint Budget Committee.

4 Determining the maximum number of employees and the maximum amount of  
5 appropriation and general revenue funding for a state agency each fiscal year  
6 is the prerogative of the General Assembly. This is usually accomplished by  
7 delineating such maximums in the appropriation act(s) for a state agency and  
8 the general revenue allocations authorized for each fund and fund account by  
9 amendment to the Revenue Stabilization law. Further, the General Assembly  
10 has determined that the Arkansas Economic Development Commission may operate  
11 more efficiently if some flexibility is provided to the Arkansas Economic  
12 Development Commission authorizing broad powers under this Section.  
13 Therefore, it is both necessary and appropriate that the General Assembly  
14 maintain oversight by requiring prior approval of the Legislative Council or  
15 Joint Budget Committee as provided by this section. The requirement of  
16 approval by the Legislative Council or Joint Budget Committee is not a  
17 severable part of this section. If the requirement of approval by the  
18 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
19 court of competent jurisdiction, this entire section is void.

20 The provisions of this section shall be in effect only from July 1, ~~2013~~  
21 2014 through June 30, ~~2014~~ 2015.

22  
23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
25 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
26 State and prior approval by the Legislative Council or Joint Budget  
27 Committee, the Director of the Arkansas Economic Development Commission is  
28 authorized to transfer appropriation from any line item appropriation  
29 authorized in the Community Assistance (CDBG) - Federal Section of this Act  
30 to any other line item authorized in the Community Assistance (CDBG) -  
31 Federal Section of this Act.

32 Determining the maximum number of employees and the maximum amount of  
33 appropriation and general revenue funding for a state agency each fiscal year  
34 is the prerogative of the General Assembly. This is usually accomplished by  
35 delineating such maximums in the appropriation act(s) for a state agency and  
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly  
 2 has determined that the Arkansas Economic Development Commission may operate  
 3 more efficiently if some flexibility is provided to the Arkansas Economic  
 4 Development Commission authorizing broad powers under this Section.  
 5 Therefore, it is both necessary and appropriate that the General Assembly  
 6 maintain oversight by requiring prior approval of the Legislative Council or  
 7 Joint Budget Committee as provided by this section. The requirement of  
 8 approval by the Legislative Council or Joint Budget Committee is not a  
 9 severable part of this section. If the requirement of approval by the  
 10 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
 11 court of competent jurisdiction, this entire section is void.

12 The provisions of this section shall be in effect only from July 1, ~~2013~~  
 13 2014 through June 30, ~~2014~~ 2015.

14  
 15 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 17 FLEXIBILITY RESTRICTIONS. The transfer flexibility provided to the Arkansas  
 18 Economic Development Commission within this Act relating to the appropriation  
 19 in the Community Assistance (CDBG) - Federal Section shall be used only when  
 20 necessary to carry out the Community Development Block Grant Program and  
 21 shall require approval by the Arkansas Legislative Council or Joint Budget  
 22 Committee.

23 Determining the maximum number of employees and the maximum amount of  
 24 appropriation and general revenue funding for a state agency each fiscal year  
 25 is the prerogative of the General Assembly. This is usually accomplished by  
 26 delineating such maximums in the appropriation act(s) for a state agency and  
 27 the general revenue allocations authorized for each fund and fund account by  
 28 amendment to the Revenue Stabilization law. Further, the General Assembly  
 29 has determined that the Arkansas Economic Development Commission may operate  
 30 more efficiently if some flexibility is provided to the Arkansas Economic  
 31 Development Commission authorizing broad powers under this Section.  
 32 Therefore, it is both necessary and appropriate that the General Assembly  
 33 maintain oversight by requiring prior approval of the Legislative Council or  
 34 Joint Budget Committee as provided by this section. The requirement of  
 35 approval by the Legislative Council or Joint Budget Committee is not a  
 36 severable part of this section. If the requirement of approval by the

1 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
2 court of competent jurisdiction, this entire section is void.

3 The provisions of this section shall be in effect only from July 1, ~~2013~~  
4 2014 through June 30, ~~2014~~ 2015.

5  
6 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
8 PROVISION - INDUSTRY TRAINING. If during the fiscal year, the Industry  
9 Training Division effects savings in item (06), State Operations Section of  
10 this Act, such savings may be transferred to item (03), Maintenance and  
11 General Operations, of the State Operations Section of this Act, after  
12 obtaining approval of the Chief Fiscal Officer of the State and after prior  
13 review by the Legislative Council or Joint Budget Committee. In addition, if  
14 any savings are effected in the fiscal year in item (03), Maintenance and  
15 General Operations, of the State Operations Section of this Act, such savings  
16 may be transferred to item (06), Industry Training Program, of the State  
17 Operations Section of this Act, after obtaining approval of the Chief Fiscal  
18 Officer of the State and after prior approval by the Legislative Council or  
19 Joint Budget Committee.

20 Determining the maximum number of employees and the maximum amount of  
21 appropriation and general revenue funding for a state agency each fiscal year  
22 is the prerogative of the General Assembly. This is usually accomplished by  
23 delineating such maximums in the appropriation act(s) for a state agency and  
24 the general revenue allocations authorized for each fund and fund account by  
25 amendment to the Revenue Stabilization law. Further, the General Assembly  
26 has determined that the Arkansas Economic Development Commission may operate  
27 more efficiently if some flexibility is provided to the Arkansas Economic  
28 Development Commission authorizing broad powers under this Section.  
29 Therefore, it is both necessary and appropriate that the General Assembly  
30 maintain oversight by requiring prior approval of the Legislative Council or  
31 Joint Budget Committee as provided by this section. The requirement of  
32 approval by the Legislative Council or Joint Budget Committee is not a  
33 severable part of this section. If the requirement of approval by the  
34 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
35 court of competent jurisdiction, this entire section is void.

36 The provisions of this section shall be in effect only from July 1, ~~2013~~

1 2014 through June 30, ~~2014~~ 2015.

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3 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
5 TRANSFER. The Chief Fiscal Officer of the State may transfer from time to  
6 time on his or her books and those of the State Treasurer and the Auditor of  
7 the State the sum not to exceed thirty million dollars (\$30,000,000) from  
8 Federal Funds as determined by the Chief Fiscal Officer of the State to the  
9 Technology Acceleration Fund to provide funds for the appropriation herein.  
10

11 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
12 authorized by this act shall be limited to the appropriation for such agency  
13 and funds made available by law for the support of such appropriations; and  
14 the restrictions of the State Procurement Law, the General Accounting and  
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
16 Procedures and Restrictions Act, or their successors, and other fiscal  
17 control laws of this State, where applicable, and regulations promulgated by  
18 the Department of Finance and Administration, as authorized by law, shall be  
19 strictly complied with in disbursement of said funds.  
20

21 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this act shall be in compliance with the stated reasons for  
24 which this act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.  
29

30 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the  
31 General Assembly, that the Constitution of the State of Arkansas prohibits  
32 the appropriation of funds for more than a one (1) year period; that the  
33 effectiveness of this Act on July 1, 2014 is essential to the operation of  
34 the agency for which the appropriations in this Act are provided, and that in  
35 the event of an extension of the legislative session, the delay in the  
36 effective date of this Act beyond July 1, 2014 could work irreparable harm

upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2014.

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